IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10496 OF 2004

N.T. Raut ...

Petitioner

V/s.

The State of Maharashtra & Ors. ...

Respondents

Mr. V.A. Sugdare for the Petitioner

Mrs. Jyoti Pawar, Additional Government Pleader,

for the Respondents.

CORAM: DALVEER BHANDARI, C.J., &
S. A. BOBDE, J.
DATED: FEBRUARY 3, 2005.

P.C.:

The petitioner, who was working as a Librarian in a college run by respondent No.3, has filed this petition with the prayer that he is entitled for an upgraded pay-scale of Rs.700 – 1600 with effect from 1st April, 1980.

The petitioner's case has been rejected by the Education Department, Government of Maharashtra.

The Maharashtra Administrative Tribunal, vide the impugned judgment dated 3rd September, 2004, came to the definite conclusion that the petitioner was not entitled to the upgraded scale of pay. The Tribunal observed that there was no dispute that the petitioner did not possess the qualifications prescribed under the Government Resolution dated 18th April, 1984 so as to become eligible for the upgraded scale of pay.

The learned counsel for the petitioner has drawn our attention to an order dated 16th January, 1987 issued by the Government of India in the Ministry of Human Resource Development (Department of Education) that the said qualifications could be relaxed, subject to the condition that the University / College concerned is satisfied that the incumbents' experience and quality of work justified their being placed in the upgraded salary scale.

The petitioner has failed to show any order by which these qualifications were relaxed while taking into consideration his experience and quality of work. We do not find any impropriety in the impugned order passed by the Maharashtra Administrative Tribunal.

This petition, being devoid of any merits, is accordingly dismissed.

CHIEF JUSTICE

S. A. BOBDE, J.